

HB 1618 -- CONSUMER PROTECTION FOR DIGITAL ELECTRONICS

SPONSOR: Seitz

This bill establishes the "Digital Fair Repair Act", which covers repairs for digital electronic equipment sold or in use on or after August 28, 2024, to products that depend on digital electronics embedded in or attached to them. The bill defines several terms, including authorized repair provider, independent repair provider, original equipment manufacturer, and owner.

Under the Act, the original equipment manufacturer must make documentation, parts, and tools available on fair and reasonable terms to independent repair providers or digital electronic equipment owners for equipment and related parts sold or used in Missouri, except for parts that are no longer available. Provisions covering electronic security locks and other security-related functions are also described in the Act.

Violations of the Act are unlawful practices under the Merchandising Practices Act; the Attorney General is granted enforcement powers included in the Merchandising Practices Act.

Trade secrets are not required to be divulged except as necessary to provide documentation, parts, and tools for repair.

The Act cannot be construed to alter the terms of arrangements between an authorized repair provider and an original equipment manufacturer, except for any term that waives or restricts the manufacturer's obligations to comply with the Act. An original equipment manufacturer and an authorized repair provider cannot be required to provide owners or independent repair providers access to information other than documentation under any arrangement between the manufacturer and authorized repair provider.

The Act does not apply to manufacturers of motor vehicles or their equipment, or to motor vehicle dealers, or products or services of any of them in their capacity as manufacturers or dealers.